

## § 902.20

those items addressed in proposed policy statements A through G in a manner no less effective than the Federal regulation requirements.

(17) To resubmit the proposed petition form that requests termination of an unsuitability designation or provide proposed regulations in a manner that is no less effective than the Federal regulation requirements at 30 CFR 764.13(b).

(b) By November 18, 1996, Alaska shall revise the following rules, or otherwise modify its program, to:

(1) [Reserved]

(2) At 11 AAC 90.321(d), require that water treatment facilities will be operated for as long as necessary, or add a definition of "siltation structure" that is no less effective than the Federal definition of this term at 30 CFR 701.5.

(3) At 11 AAC 90.323(a), replace "siltation structures" with "treatment facilities," or add a definition of "siltation structure" that is no less effective than the Federal definition of this term at 30 CFR 701.5.

(4) At 11 AAC 90.325(a), require that water treatment facilities will be operated for as long as necessary or add a definition of "siltation structure" that is no less effective than the Federal definition of this term at 30 CFR 701.5.

(5) At 11 AAC 90.327(b)(1) and (c), require that "erosion control structures" be used when describing standards for stream channel diversions used to control erosion, and that the terms "water treatment facilities" and "water treatment facility" be retained or provide a definition of "siltation structures" that includes "water-treatment facilities."

(6) At 11 AAC 90.341(b)(2), require that any treatment facility used during the anticipated period of gravity discharge will be consistently maintained, or add a definition of "siltation structure" that is no less effective than the Federal definition of this term at 30 CFR 701.5.

(7) At 11 AAC 90.443(k), require that the topsoil on the area outside the mined-out area in nonsteep slope areas shall be removed, segregated, stored and redistributed in accordance with

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its topsoil removal provisions and that the spoil be backfilled and graded on the area in accordance with its provisions concerning performance standards or backfilling and grading, or add provisions to ensure that the disposal of spoil provisions are no less effective than the Federal regulations at 30 CFR 816.102(d) (2) and (3).

(8) At 11 AAC 90.491(f), require the addition of provisions concerning the alteration or relocation of natural stream channels, and structures for perennial or intermittent stream channel crossings that are no less effective than 30 CFR 816.151(d)(5) and (6) and 817.151(d)(5) and (6).

[57 FR 37423, Aug. 19, 1992, as amended at 61 FR 48842, Sept. 17, 1996; 62 FR 15117, Mar. 31, 1997; 64 FR 8514, Feb. 22, 1999]

### § 902.20 Approval of Alaska abandoned mine land reclamation plan.

The Alaska Reclamation Plan, as submitted on August 17, 1983, is approved effective December 23, 1983. Copies of the approved plan are available at:

(a) Department of Natural Resources, Division of Mining and Water Management, 3601 C Street, Suite 800, Anchorage, AK 99503-5925, Telephone: (907)762-2149.

(b) Office of Surface Mining Reclamation and Enforcement, Western Regional Coordinating Center, Technical Library, 1999 Broadway, Suite 3320, Denver, Colorado 80202-5733.

[60 FR 33724, June 29, 1995, as amended at 60 FR 54593, Oct. 25, 1995]

### § 902.25 Approval of Alaska abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

## Surface Mining Reclamation and Enforcement, Interior

§ 903.700

Original Amendment submission date	Date of final publication	Citation/description
May 28, 1992 .....	November 16, 1992	Emergency response reclamation program.

[62 FR 9935, Mar. 5, 1997]

### PART 903—ARIZONA

Sec.

903.700 Arizona Federal program.

903.701 General.

903.702 Exemption for coal extraction incidental to the extraction of other minerals.

903.707 Exemption for coal extraction incidental to government-financed highway or other construction.

903.736 Permit fees.

903.761 Areas designated unsuitable for surface coal mining by act of Congress.

903.762 Criteria for designating areas as unsuitable for surface coal mining operations.

903.764 Process for designating areas unsuitable for surface coal mining operations.

903.772 Requirements for coal exploration.

903.773 Requirements for permits and permit processing.

903.774 Revision; renewal; and transfer, assignment, or sale of permit rights.

903.775 Administrative and judicial review of decisions.

903.777 General content requirements for permit applications.

903.778 Permit applications—Minimum requirements for legal, financial, compliance, and related information.

903.779 Surface mining permit applications—Minimum requirements for information on environmental resources.

903.780 Surface mining permit applications—Minimum requirements for reclamation and operation plan.

903.783 Underground mining permit applications—Minimum requirements for information on environmental resources.

903.784 Underground mining permit applications—Minimum requirements for reclamation and operation plan.

903.785 Requirements for permits for special categories of mining.

903.795 Small operator assistance program.

903.800 Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs.

903.815 Performance standards—Coal exploration.

903.816 Performance standards—Surface mining activities.

903.817 Performance standards—Underground mining activities.

903.819 Special performance standards—Auger mining.

903.822 Special performance standards—Operations in alluvial valley floors.

903.823 Special performance standards—Operations on prime farmland.

903.824 Special performance standards—Mountaintop removal.

903.827 Special performance standards—Coal preparation plants not located within the permit area of a mine.

903.828 Special performance standards—In situ processing.

903.842 Federal inspections.

903.843 Federal enforcement.

903.845 Civil penalties.

903.846 Individual civil penalties.

903.955 Certification of blasters.

AUTHORITY: 30 U.S.C. 1201 *et seq.*

SOURCE: 60 FR 18716, Apr. 12, 1995, unless otherwise noted.

#### § 903.700 Arizona Federal program.

(a) This part establishes a Federal program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and applies to all coal exploration and surface coal mining and reclamation operations in Arizona conducted on non-Federal and non-Indian lands. To the extent required by 30 CFR Part 740, this part also applies to surface coal mining and reclamation operations on Federal lands in Arizona.

(b) Some rules in this part cross-reference pertinent parts of the permanent program rules in this chapter. The full text of a cross-referenced rule is in the permanent program rule cited under the relevant section of the Arizona Federal program.

(c) The following provisions of Arizona law generally provide for more stringent environmental control and regulation of some aspects of surface coal mining and reclamation operations than do the provisions of the Surface Mining Control and Reclamation Act of 1977, and the regulations in this chapter. Therefore, pursuant to section 505(b) of the Act, OSM will not generally construe such laws to be inconsistent with the Act, unless in a particular instance OSM determines that the rules in this chapter establish more stringent environmental or land use controls: